

**Township of Berkeley Heights  
Union County, New Jersey  
May 5, 2015**

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Adequate notice of this meeting has been provided by posting the same on the bulletin board of Town Hall and forwarding a copy to the Courier News, Star Ledger at least forty-eight hours prior to the meeting, all in accordance with the Open Public Meetings Act. This meeting was contained on a list of meetings set by resolution dated January 1, 2015. This meeting will not substantially go past 10:30 p.m.

**COUNCIL MEMBERS:**

Edward Delia  
Marc Faecher  
Kevin Hall  
Jeanne Kingsley  
Craig Pastore  
Thomas Pirone  
Robert Woodruff, Mayor

**AGENDA FOR PUBLIC MEETING**

**I. CALL TO ORDER - 7:00 PM**

**II. ROLL CALL**

**III. EXECUTIVE SESSION –**

- 1. Attorney/Client Privilege– Litigation–Tax Appeals- Connell Co. & Alcatel-Lucent**
- 2. Attorney/Client Privilege – Potential Litigation – DPW**

**OPEN SESSION**

**III. FLAG SALUTE**

**IV. CONFERENCE SESSION – Discussion on Tax Appeals and Revaluation**

**V. REGULAR AGENDA**

**VI. TOWNSHIP COUNCIL REPORTS**

- A. Edward Delia**
- B. Marc Faecher**
- C. Craig Pastore**
- D. Thomas Pirone**
- E. Jeanne Kingsley**
- F. Kevin Hall**

## **VII. ADMINISTRATION REPORTS**

**Mayor Woodruff**

**Township Administrator – John Bussiculo**

## **VIII. APPROVAL OF MINUTES – Public Meeting – February 24, 2015**

**Public Meeting- March 10, 2015**

## **IX. HEARING ON AGENDA ITEMS ONLY – 3 minutes per resident**

Comments are welcome during the public comment period during this meeting on any agenda item. However, if an ordinance is listed for its own public hearing on the agenda, please hold your comments for that particular public hearing. To make your comment, the speaker must come forward to the microphone and state his/her name and address for the record. Each speaker is limited to 3 minutes. The (Mayor/Council President) will keep time. Please promptly yield on the floor when time is called and return to your seat. Your cooperation in adherence to these rules of order will ensure an orderly and respectful meeting.

## **X. PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE INTRODUCED ON FEBRUARY 24, 2015.**

**“AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, COUNTY OF UNION, STATE OF NEW JERSEY, FOR THE CALENDAR YEAR 2014, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45, 14)”**

## **XI. NEW BUSINESS- RESOLUTIONS**

**OFFICIAL ACTION WILL BE TAKEN ON THE FOLLOWING:**

### **A. RESOLUTIONS**

1. Resolution approving Bill List dated May 5, 2015 in the amount of \$517,104.21.
2. Resolution authorizing Our Lady of Mt. Carmel Society to hold their annual Carnival and Parade from July 12<sup>th</sup> – July 16<sup>th</sup>.

**3. CONSENT AGENDA** – All matters listed under Consent Agenda are considered routine by the Township Council and will be enacted upon by one motion; there will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a. Resolution authorizing the Tax Collector to refund the following 2014 tax overpayments:
  1. Tonny & Kathy Moy 7 Paula Way. \$2,093.06
- b. Resolution authorizing a partial cash and performance bond release for Primrose School & Retail Building, 240-264 Springfield Avenue. The cash portion is for the amount of \$55,264.05.
- c. Resolution authorizing a partial performance and cash bond release for Alcatel-Lucent USA. 600 Mountain Avenue. The cash portion is for the amount of \$174,160.36.

- d. Resolution authorizing a release of cash bond to Menza & Beisel in the amount of \$2,500.00, for work done at 121& 129 Hamilton Avenue. Permit# 2953.
- e. Resolution authorizing a release of cash bond to Menza & Beisel in the amount of \$700.00, for work done at 121& 129 Hamilton Avenue. Permit# 2953.
- f. Resolution authorizing a release of cash bond to Menza & Beisel in the amount of \$700.00, for work done at 121 Hamilton Avenue. Permit# 2952.
- g. Resolution authorizing a release of cash bond to Menza & Beisel in the amount of \$700.00, for work done at 121 Hamilton Avenue. Permit# 2985.
- h. Resolution authorizing a release of cash bond to Menza & Beisel in the amount of \$700.00, for work done at 129 Hamilton Avenue. Permit# 2967.
- i. Resolution authorizing a release of a cash bond to Mr. M. Murphy, in the amount of \$700.00 For work done at 7 Allen Terrace.
- j. Resolution authorizing a release of a cash bond to AT&T Mobility, for a property located at Locust Avenue in the amount of \$6,475.00.
- k. Resolution authorizing the YMCA to hold their 14th Annual "Mother's Day 5K Run, on Sunday May 10, 2015.
- l. Resolution authorizing Garden State Fireworks to hold a short fireworks display for PAL and Governor Livingston High School at Snyder Avenue Field on May 19, 2015 between 8:00 – 8:30 p.m.

## **XII. INTRODUCTION OF ORDINANCES:**

**Public Hearing and Final Adoption scheduled for May19, 2015:**

**"AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM RATE OF SALARY AND COMPENSATION OF ELECTED AND APPOINTED TOWNSHIP OFFICIALS, AND NON-UNION EMPLOYEES IN THE VARIOUS MUNICIPAL DEPARTMENTS OF THE TOWNSHIP OF BERKELEY HEIGHTS."**

## **XIII. CITIZENS HEARING - 3 minutes per resident**

Comments are welcome during the public comment period during this meeting on any matter over which the Township has jurisdiction. To make your comment, the speaker must come forward to the microphone and state his/her name and address for the record. Each speaker is limited to 3 minutes. The Mayor and/or Council will keep time. Please promptly yield the floor when time is called and return to your seat. Your cooperation in adherence to these rules of order will ensure an orderly and respectful meeting.

**XIV.EXECUTIVE SESSION –**

1. Contract Negotiations/Land Acquisition-Little Flower Church
2. Potential Litigation - affordable housing compliance

**XV. ADJOURNMENT**

**Ana Minkoff  
Township Clerk**

**Mayor's Correspondence**  
**April 2015**

1. **21<sup>ST</sup> Legislative District** – letter informing you that the DOT awarded the Township \$215,000 for roadway preservation improvements on Snyder Avenue.
2. **Robert Auth, Assemblyman** – copy of the Transparent Tax Act of 2015 that he introduced in the NJ General Assembly
3. **NJCM** – panel session topics for spring conference
4. **Tree City USA** – letter congratulating BH on earning 2014 Tree City USA recognition
5. **UC Freeholders** – invitation to the grand opening of Workforce Innovation Business Center
6. **MBI GluckShaw** – marketing letter for municipal payroll software
7. **Boy Scouts of America** – invitation to Union Lifetime Achievement awards dinner
8. **Anonymous** – letter concerning illegally parked Middlesex county vehicle at GL events
9. **Mt. Carmel Society** – letter requesting approval for their July 2015 Festival
10. **Chris Hudak, UC** – grant opportunity for UC Municipalities for infrastructure projects
11. **Jack Fanous The GI Go Fund** – letter asking for participation in Memorial Day Jeans for Troops drive
12. **Municipal Excess Liability JIF** – enclosed the Community Safety Leadership Manual
13. **NJLM** – March legislative bulletin
14. **Mike Broderick, Teamsters Local 469** – letter concerning Councilman Delia's involvement with the DPW workers

## **TOWNSHIP COUNCIL CORRESPONDENCE**

**April 2015**

1. Connell Corp. Tax Court Case Information Statement (regarding Block 4501, Lot 26) received April 1, 2015.
2. Correspondence received on April 6, 2015 regarding New Jersey American Water Notice of Filing of Proposed Rate Increase as well as Change in Depreciation Rates and other Tariff modifications.
3. Correspondence received on April 7, 2015 from State of New Jersey Department of Transportation regarding Award Approval, Glenside Road (Section 2.)
4. Correspondence received on April 9, 2015 from Vito Mondelli. Statement to be read at April 22, 2015 Township Council Meeting.
5. Correspondence received from the Borough of Watchung, April 13, 2015, regarding Weldon Materials Request Discussion to be held on April 21, 2015.
6. Connell Corp. Tax Court Case Information Statement (regarding Block 4102, Lot 1 et al.) received April 20, 2015.
7. Connell Corp. Tax Court Case Information Statement (regarding Block 4301, Lot 1.02) received April 20, 2015.
8. Correspondence received on April 20, 2015 from the State of New Jersey Department of Transportation regarding Fiscal Year 2015 Municipal Aid Program for Snyder Avenue.
9. Correspondence received on April 27, 2015 from the Township of Scotch Plains, regarding Proposed Rezoning 1311 Terrill Road Ordinance.
10. Correspondence received on April 27, 2015 from Chatham Township, regarding adopted ordinance prohibiting unregulated pipelines in any zoning district.

**TOWNSHIP OF BERKELEY HEIGHTS  
CALENDAR YEAR 2015  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Council of the Township of Berkeley Heights in the County of Union finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Council hereby determines that a 2.0 % increase in the budget for said year, amounting to \$273,022.53 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of Berkeley Heights, in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Township of Berkeley Heights shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$477,789.41, and that the CY 2015 municipal budget for the Township of Berkeley Heights be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

INTRODUCED the 21<sup>ST</sup> day of April, 2015

ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 2015

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**Robert Woodruff**  
**Mayor**

**ATTEST:**

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**Ana Minkoff**  
**Township Clerk**



**NOTICE OF  
INTRODUCTION**

**Ordinance -2015**

**TOWNSHIP OF BERKELEY HEIGHTS CALENDAR YEAR 2015  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

I, Ana Minkoff, Township Clerk of the Township of Berkeley Heights , do hereby certify that the foregoing Ordinance was introduced on First Reading at a meeting of the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, on **April 21, 2015** and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on **May 5, 2015** at **7:00** p.m. or as soon thereafter, as practical, same can be considered, at the Municipal Building, 29 Park Avenue, Berkeley Heights, NJ, at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. During the week prior to and up to the time of Public Hearing, copies of said Ordinance will be available in the Municipal Clerk's office in said Municipal Building, to the members of the general public who shall request the same.

**Ana Minkoff**  
**Township Clerk**

| ROLL CALL      | AYE | NAY | ABSTAIN | ABSENT |
|----------------|-----|-----|---------|--------|
| DELIA          | ✓   |     |         |        |
| FAECHER        | ✓   |     |         |        |
| HALL           | ✓   |     |         |        |
| KINGSLEY       | ✓   |     |         |        |
| PASTORE        | ✓   |     |         |        |
| PIRONE         | ✓   |     |         |        |
| TIE:           |     |     |         |        |
| MAYOR WOODRUFF |     |     |         |        |

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**NOTICE OF FINAL ADOPTION**

**PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE  
INTRODUCED ON APRIL 21, 2015:**

**“TOWNSHIP OF BERKELEY HEIGHTS CALENDAR YEAR 2015  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)”**

I, Ana Minkoff, Township Clerk of the Township of Berkeley Heights, County of Union, State of New Jersey, hereby certify that the above entitled Ordinance was adopted on final Passage by the Township Council of the Township of Berkeley Heights at its meeting held on May 5, 2015.

**Ana Minkoff,  
Township Clerk  
Township of Berkeley**

Agenda Item # |

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**BE AND IT IS HEREBY RESOLVED** by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, in meeting assembled, authorizes and directs the Township Treasurer to make payment of vouchers listed on the Bill List dated 5/5/15, in the amount of \$517,104.71 such vouchers having been received by the Township Council, having been satisfied that appropriate procedure has been followed in the processing of said vouchers.

**APPROVED** this 5th day of May, 2015.

**ATTEST:**

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Ana Minkoff  
Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

Agenda Item  
#

2

**RESOLUTION**

**WHEREAS**, Our Lady of Mt. Carmel Society has requested permission to hold their annual Carnival and Parade from July 12<sup>th</sup>–July 16, 2015 with a Parade on the morning of July 16th; and

**WHEREAS**, the Township Council believes that it is appropriate to grant permission subject to the compliance to the requirements set forth by the Police Department, Rescue Squad and Fire Department.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights that permission is granted to Our Lady of Mt. Carmel Society to hold their annual Carnival and Parade during the annual feast July 12<sup>th</sup>-July 16<sup>th</sup> provided that it satisfies all comments and concerns, if any, of the Rescue Squad, Fire Department and Police Department raised prior to, or on the night of the display including any raised as a result of the weather conditions at the time of the display.

Copies of this resolution are to be forwarded to Our Lady of Mt. Carmel Society, Police Department, Rescue Squad, and Fire Department.

**APPROVED** this 5th day of May, 2015.

**ATTEST:**

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**Ana Minkoff**  
**Township Clerk**

Agenda Item

# 3a

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there was an overpayment of a portion of 2015 property taxes for property known as Block #1301 Lot #7.07 also known as 7 Paula Way, which requires a refund in the amount of \$2,093.06; and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$2,093.06 to Tonny & Kathy Moy, 7 Paula Way, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Tonny & Kathy Moy, Treasurer and Tax Collector.

**APPROVED** this 5th day of May, 2015.

**Attest:**

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**Ana Minkoff  
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, Primrose School & Retail Building, was required to post a Performance and Cash Bond in connection with work being performed at 240-264 Springfield Avenue and Harbor Consultants, having inspected the work, has recommended by letter dated March 19, 2015 that both bonds be reduced as follows:

|                                    | <u>Current Total</u> | <u>Proposed Reduced Total</u> |
|------------------------------------|----------------------|-------------------------------|
| Performance Bond                   | \$663,168.60         | \$165,792.15                  |
| Cash Bond<br>(A/C#S-17-47-799-646) | \$73,685.40          | \$18,421.35                   |
| Total Guarantee Amount             | \$736,854.00         | \$184,213.50                  |

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return a portion of the cash bond in the amount of \$55,264.05 posted by Primrose School & Retail Building. together with any applicable interest.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution is to be forwarded to Primrose School & Retail Buiding., Township Treasurer and Township Engineer.

**APPROVED** this 5<sup>th</sup> day of May, 2015.

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

3c

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, Alcatel-Lucent USA, Inc, was required to post a Performance and Cash Bond in connection with work being performed at 600 Mountain Avenue and Neglia Engineering, having inspected the work, has recommended by letter dated April 6, 2015 that both bonds be reduced as follows:

|                        |                      |                               |
|------------------------|----------------------|-------------------------------|
|                        | <u>Current Total</u> | <u>Proposed Reduced Total</u> |
| Performance Bond       | \$2,239,204.72       | \$671,761.41                  |
| Cash Bond              |                      |                               |
| (A/C#S-17-47-799-661   | \$248,800.52         | \$74,640.16                   |
| Total Guarantee Amount | \$2,488,005.24       | \$746,401.57                  |

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return a portion of the cash bond in the amount of \$174,160.36 posted by Alcatel- Lucent USA, Inc. together with any applicable interest.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution is to be forwarded to Alcatel Lucent USA, Inc., Township Treasurer and Township Engineer.

**APPROVED** this 5<sup>th</sup> day of May, 2015.

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

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**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, Menza & Beisel Home, Inc. was required to post a cash bond, Permit #2953, in the amount of \$2,500.00, in connection with work being performed at 121 & 129 Hamilton Avenue, the Township Engineer has recommended by letter dated April 16, 2015 a full release of the cash bond in the amount of \$2,500.00.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return the cash bond posted by Menza & Beisel Home Inc., in the amount of \$2,500.00, together with any applicable interest.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution is to be forwarded to Menza & Beisel Home, Inc., Township Treasurer and Township Engineer.

**APPROVED** this 5th day of May, 2015.

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk



**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, Menza & Beisel Home, Inc. was required to post a cash bond, Permit #2953, in the amount of \$700.00, in connection with work being performed at 121 & 129 Hamilton Avenue, the Township Engineer has recommended by letter dated April 16, 2015 a full release of the cash bond in the amount of \$700.00.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return the cash bond posted by Menza & Beisel Home Inc., in the amount of \$700.00, together with any applicable interest.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution is to be forwarded to Menza & Beisel Home, Inc., Township Treasurer and Township Engineer.

**APPROVED** this 5th day of May, 2015.

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

3f

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, Menza & Beisel Home, Inc. was required to post a cash bond, Permit #2952, in the amount of \$700.00, in connection with work being performed at 121 Hamilton Avenue, the Township Engineer has recommended by letter dated April 16, 2015 a full release of the cash bond in the amount of \$700.00, Account # S17-48-374-101.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return the cash bond posted by Menza & Beisel Home Inc., in the amount of \$700.00, together with any applicable interest.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution is to be forwarded to Menza & Beisel Home, Inc., 41 Stonehouse Road, Basking Ridge, NJ 07920 Township Treasurer and Township Engineer.

**APPROVED** this 5th day of May, 2015.

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

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**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, Menza & Beisel Home, Inc. was required to post a cash bond, Permit #2985, in the amount of \$700.00, in connection with work being performed at 121 Hamilton Avenue, the Township Engineer has recommended by letter dated April 16, 2015 a full release of the cash bond in the amount of \$700.00, Account # S17-48-799-463.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return the cash bond posted by Menza & Beisel Home Inc., in the amount of \$700.00, together with any applicable interest.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution is to be forwarded to Menza & Beisel Home, Inc., Township Treasurer and Township Engineer.

**APPROVED** this 5th day of May, 2015.

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

3n

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, Menza & Beisel Home, Inc. was required to post a cash bond, Permit #2967, in the amount of \$700.00, in connection with work being performed at 129 Hamilton Avenue, the Township Engineer has recommended by letter dated April 16, 2015 a full release of the cash bond in the amount of \$700.00, Account # S17-48-374-119.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return the cash bond posted by Menza & Beisel Home Inc., in the amount of \$700.00, together with any applicable interest.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution is to be forwarded to Menza & Beisel Home, Inc., Township Treasurer and Township Engineer.

**APPROVED** this 5th day of May, 2015.

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

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**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, Mr. Murphy. was required to post a cash bond,  
Permit #3150, in the amount of \$700.00, in connection with work being performed at  
7 Allen Terrace, the Township Engineer has recommended by letter dated  
April 16, 2015 a full release of the cash bond in the amount of \$700.00, Account # S17-  
48-800-238.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council,  
Township of Berkeley Heights, County of Union, hereby authorizes the Township  
Treasurer to release and return the cash bond posted by Mr. M. Murphy, 7 Allen Terrace,  
Berkeley Heights, in the amount of \$700.00, together with any applicable interest.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution is to be  
forwarded to Mr. M. Murphy, 7 Allen Terrace, Berkeley Heights, NJ  
07922, Township Treasurer and Township Engineer.

**APPROVED** this 5th day of May, 2015.

**ATTEST:**

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Ana Minkoff  
Township Clerk

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**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, AT&T was required to post a cash bond in the amount of \$6,475.00, in connection with work being performed at Locust Avenue and Paul Leso, Engineer, inspected the work on September 25, 2003, the Township Engineer has recommended by letter dated April 17, 2015 a full release of the cash bond in the amount of \$6,475.00.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return the cash bond posted by AT&T Mobility, One AT&T Way, Rm 2B228A, Bedminster, NJ 07921 in the amount of \$6,475.00, together with any applicable interest.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution is to be forwarded to AT&T Mobility, Township Treasurer and Township Engineer.

**APPROVED** this 5th day of May, 2015.

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

3 K

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the YMCA has requested permission to hold its annual Mother's Day 5K Run on May 10, 2015; and

**WHEREAS**, the Township Council believes that the event is in the best interest of the community.

**NOW THEREFORE BE IT RESOLVED**, that permission is hereby granted to the YMCA for its annual 5K run provided that it complies with all conditions imposed by the Township Police Department, Fire Department and Rescue Squad.

**BE IT FURTHER RESOLVED** that copies of this resolution are to be forwarded to the Police Department, Fire Department, Rescue Squad, and the YMCA,

**APPROVED** this 5<sup>th</sup> day of May, 2015 .

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, Garden State Fireworks has requested permission to hold a short fireworks displays for PAL and Governor Livingston High School, at Snyder Avenue Field on May 19, 2015 between 8:00 – 8:30 p.m. In the event of rain this resolution will be extended for 10 days; and

**WHEREAS**, the Township Council believes that it is appropriate to grant permission for such display under the normal terms and conditions.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights that permission is granted to Garden State Fireworks to hold a short fireworks display on May 19, 2015, at Snyder Avenue Field between 8:00-8:30 p.m., provided that it satisfies all comments and concerns, if any, of the Rescue Squad, Fire Department and Police Department raised prior to, or on the night of the display including any raised as a result of the weather conditions at the time of the display.

Copies of this resolution are to be forwarded to Garden State Fireworks, Police Department, Rescue Squad, and Fire Department.

**APPROVED** this 5<sup>th</sup> day of May, 2015.

**ATTEST:**

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**Ana Minkoff  
Township Clerk**



Explanation: This Ordinance amends the Township's current Salary Ordinance (Ordinance #1-2015) to update and add the salary ranges for the various positions.

**AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM RATE  
OF SALARY AND COMPENSATION OF ELECTED AND APPOINTED  
TOWNSHIP OFFICIALS, AND NON-UNION EMPLOYEES IN THE  
VARIOUS MUNICIPAL DEPARTMENTS OF THE TOWNSHIP OF  
BERKELEY HEIGHTS**

**BE IT ORDAINED** by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, pursuant to N.J.S.A. 40A:5-19 and N.J.S.A. 40A:9-10, that the Township's Salary Ordinance (Ordinance #4-2013 as amended by Ordinance No. 8-2013) as follows: [New language **bold and underlined**, and deleted language in ~~double strikethrough~~.]

**SECTION 1.**

The annual salaries and wages of the elected and appointed officials of the Township and certain non-union Township employees in the various municipal departments of the Township of Berkeley Heights shall be fixed from time to time by the Township Council by Resolution and, except as provided herein shall not be less than the minimum amounts nor more than the maximum amounts hereinafter set forth for each position.

| <u>DEPARTMENT</u>                         | <u>POSITION</u>          | <u>MINIMUM</u> | <u>MAXIMUM</u> |
|-------------------------------------------|--------------------------|----------------|----------------|
| <b>Administration &amp;<br/>Executive</b> | Mayor                    | 1.00           | 4,000.00       |
|                                           | Council Members          | 1.00           | 3,500.00       |
|                                           | Township Administrator   | 60,000.00      | 135,150.00     |
|                                           | Executive Assistant      | 25,000.00      | 54,060.00      |
|                                           | Administrative Assistant | 25,000.00      | 48,654.00      |
|                                           | Township Clerk           | 50,000.00      | 95,145.00      |
|                                           | Acting Township Clerk    | 35,000.00      | 63,600.00      |
|                                           | Deputy Township Clerk    | 25,000.00      | 54,060.00      |

|                                            |                                                           |                         |                         |
|--------------------------------------------|-----------------------------------------------------------|-------------------------|-------------------------|
| <b>Finance Department</b>                  | Treasurer/Chief Financial Officer                         | 60,000.00               | 108,120.00              |
|                                            | <b><u>Assistant Finance Officer</u></b>                   | <b><u>40,000.00</u></b> | <b><u>60,000.00</u></b> |
|                                            | Tax Assessor                                              | 20,000.00               | 54,060.00               |
|                                            | Tax Collector                                             | 20,000.00               | 65,090.00               |
| <b>Municipal Court</b>                     | Municipal Judge                                           | 10,000.00               | 35,700.00               |
|                                            | Municipal Prosecutor                                      | 10,000.00               | 20,400.00               |
|                                            | Public Defender                                           | 3,000.00                | 10,200.00               |
|                                            | Board of Adjustment Attorney                              | 2,000.00                | 5,100.00                |
| <b>Public Works - Engineering Division</b> | Township Engineer_ / Director of Public Works             | 45,000.00               | 108,970.00              |
|                                            | Asst. Dir. of Public Works                                | 45,000.00               | 82,712.00               |
|                                            | Zoning Official<br>(Tree Inspector & Code Review Officer) | 30,000.00               | 65,508.00               |
|                                            | Construction Official                                     | 60,000.00               | 86,496.00               |
| <b>Stipends</b>                            | Dispatcher/Asst Terminal Agency Coordinator               | 1.00                    | 2,500.00                |
|                                            | Board of Health Secretary                                 | 1.00                    | 4,000.00                |
| <b>Fire</b>                                | Fire Official                                             | 1.00                    | 13,000.00               |
| <b>Sewer Plant</b>                         | Superintendent of Wastewater Management                   | 85,000.00               | 127,200.00              |
|                                            | Acting Superintendent of Wastewater Management            | 50,000.00               | 79,500.00               |
| <b>Police Dept</b>                         | Chief                                                     | 90,000.00               |                         |

|                                          |                                            |           |          |
|------------------------------------------|--------------------------------------------|-----------|----------|
|                                          |                                            |           | 156,060. |
|                                          | Police Secretary                           | 28,000.00 | 54,060.  |
|                                          | Confidential Secretary                     | 28,000.00 | 59,466.  |
|                                          | Special Police (per hr)                    | 8.38      | 30.      |
|                                          | Special Police Matrons (per hr)            | 8.38      | 30.      |
|                                          | Crossing Guards (per hr)                   | 8.38      | 30.      |
| <b>Emergency Management</b>              | Emergency Management Coordinator           | 500.00    | 5,500.0  |
|                                          | Assistant Emergency Management Coordinator | 500.00    | 1,500.0  |
|                                          |                                            |           |          |
| <b>Part Time <u>Hourly</u> Employees</b> |                                            |           |          |
|                                          | Level 1 -, Seasonal                        | 8.38 Hr   | 18.00/H  |
|                                          | Level 2 - Casual                           | 10.00/Hr  | 30.00/H  |
|                                          | Level 3 - Casual w/ License *              | 20.00/Hr  | 45.00/H  |
|                                          | Level 4 - Part Time w/ License*            | 20.00/Hr  | 45.00/Hr |

\* This includes all Sub code officials.

## **SECTION 2.**

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

## **SECTION 3.**

All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

## **SECTION 4.**

The provisions of this Ordinance shall be effective according to law.

**Introduced:**

**Adopted:**

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Robert Woodruff  
Mayor

**ATTEST:**

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Ana Minkoff  
Township Clerk

**NOTICE OF  
INTRODUCTION**

**Ordinance    -2015**

**“AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM RATE OF  
SALARY AND COMPENSATION OF ELECTED AND APPOINTED  
TOWNSHIP OFFICIALS, AND NON-UNION EMPLOYEES IN THE  
VARIOUS MUNICIPAL DEPARTMENTS OF THE TOWNSHIP OF  
BERKELEY HEIGHTS.”**

I, Ana Minkoff, Township Clerk of the Township of Berkeley Heights , do hereby certify that the foregoing Ordinance was introduced on First Reading at a meeting of the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, on **May 5, 2015** and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on **May 19, 2015** at **7:00** p.m. or as soon thereafter, as practical, same can be considered, at the Municipal Building, 29 Park Avenue, Berkeley Heights, NJ, at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. During the week prior to and up to the time of Public Hearing, copies of said Ordinance will be available in the Municipal Clerk’s office in said Municipal Building, to the members of the general public who shall request the same.

**Ana Minkoff  
Township Clerk**